

VZCZCXRO0282  
PP RUEHBZ RUEH DU RUEHGI RUEHJO RUEHMR RUEHRN  
DE RUEH KI #1797 3321448  
ZNR UUUUU ZZH  
P 281448Z NOV 06  
FM AMEMBASSY KINSHASA  
TO RUEHC/SECSTATE WASHDC PRIORITY 5228  
INFO RUEHXR/RWANDA COLLECTIVE  
RUCNSAD/SOUTHERN AFRICAN DEVELOPMENT COMMUNITY  
RUEAIIA/CIA WASHDC  
RHEFDIA/DIA WASHDC  
RHMFISS/HQ USEUCOM VAIHINGEN GE  
RUFOADA/JAC MOLESWORTH RAF MOLESWORTH UK

UNCLAS KINSHASA 001797

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E.O. 12958: N/A

TAGS: [PHUM](#) [PGOV](#) [MOPS](#) [KPKO](#) [KJUS](#) [CG](#)

SUBJECT: MILITARY JUSTICE REACTS QUICKLY TO DISCOVERY OF  
MASS GRAVES

¶1. (U) DRC military prosecutors have moved quickly in response to widely-publicized reports of three mass graves found near Bunia in Ituri District. The Military Prosecutor for Ituri, John Penza, arrested two senior officers of the Congolese national army's (FARDC) First Integrated Brigade (1st IB) after UN and army investigators discovered the graves November 22 inside the 1st IB's Bavi camp, 24 miles south of Bunia.

¶2. (U) According to a MONUC press release, Penza charged the head of the 1st IB's Intervention Battalion, Francois Molese, and a battalion disciplinary officer with the summary execution of at least 30 civilians whose bodies were found in the graves. MONUC Human Rights chief and investigation leader Louis-Marie Bouaka told us preliminary hearings could begin as early as this week. The remainder of the battalion has been relocated to Bunia to await possible charges.

¶3. (U) The Belgian-trained 1st IB had enjoyed a reputation for satisfactory discipline and military ethics until this event. Its Intervention Battalion was deployed to Ituri in January 2006 to disarm militia groups and had taken the Bavi area in July. Penza told the French newspaper "Le Monde" that Molese confessed to ordering the executions as "an act of vengeance" against militia members who had attacked and killed soldiers.

¶4. (U) Bouaka confirmed that the victims were in fact civilians. MONUC-Bunia Human Rights Officers reported that the 1st IB had abducted 21 civilians in the area on August 11 and another nine on September 16; none were seen again. Human Rights Watch reported the kidnappings and claimed the victims had been used by the army for forced agricultural and mining labor. Bouaka said the FARDC does not have the means to conduct forensic testing, but witnesses were able to positively identify the victims as those kidnapped by the 1st IB in August and September.

¶5. (U) Comment: The rapid action of the military prosecutor is a welcome step in a country where the army is the source of many human rights violations. Unfortunately, the involvement of the 1st Integrated Brigade in serious abuses raises questions about the effectiveness of military training programs. End comment.

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